

Person Filing: _____

(1) Mailing Address: _____

City, State, Zip: _____

Daytime Phone / Alternate Phone: () - () -

Representing: ☐ Self ☐ Attorney ☐ Other

State Bar No. (if applicable): _____



Maricopa County Justice Courts, Arizona

(2) _____

(5) _____

(8) CASE NUMBER: _____

() -

Petitioner / Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor

PETITION FOR ORDER TO SHOW CAUSE REGARDING GARNISHEE'S DEFAULT (NON-EARNINGS)

(6) _____

(7) _____

() -

Respondent / Defendant ☐ Judgment Creditor ☐ Judgment Debtor

() -

Garnishee

I am the judgment creditor or authorized agent of the judgment creditor in this action. I want the Court to order the garnishee to appear and show cause why judgment should not be entered against the garnishee in the full amount of judgment against the judgment debtor and why the garnishee should not pay costs of this Petition and attorney's fees.

The petition is based on the following facts:

1. The Court issued a Writ of Garnishment to garnishee on (9) _____ .
2. The garnishee was served on (10) _____ and Garnishee's Answer was due on (11) _____ .
3. Garnishee's Answer has not been filed with the court or received by the judgment creditor.
4. Judgment debtor owes judgment creditor (12) \$ _____ .

Date: _____

Signature of Judgment Creditor or Authorized Agent



Maricopa County Justice Courts

INSTRUCTIONS FORM 10 - PETITION FOR ORDER TO SHOW CAUSE REGARDING GARNISHEE'S DEFAULT (NON-EARNINGS)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 10 IF:

- ~ You are the judgment creditor or you represent the judgment creditor.
- ~ The garnishee has failed to file a Garnishee's Answer with the Court within 10 business days after receiving the Writ of Garnishment and Summons.

TO COMPLETE FORM 10 YOU WILL NEED:

- ~ Information from the judgment or order that awarded you the money you want to collect in this action.
- ~ Information from the affidavit of service by the constable or private process server you paid to serve the Writ of Garnishment and Summons on the garnishee.

HOW TO COMPLETE FORM 10:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Petition for Order to Show Cause Regarding Garnishee's Default (Non-Earnings).

*Lines 1 through 7 are known as the **caption**. You must complete this portion if not already filled in.*

- (1) Type or print the name, mailing address and telephone numbers of the person filing this form. If you are representing yourself in this matter, check the box before "Self". If you are representing a judgment creditor but you are not an attorney and you are permitted by law to do so, check the box before "Other".
- (2) Type or print the name and address of the Justice Court precinct in which you are filing this Request for an Order to Show Cause hearing.
- (5) Type or print the petitioner/plaintiff's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment creditor or judgment debtor as shown on the Writ.
- (6) Type or print the respondent/defendant's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment debtor or judgment creditor as shown on the Writ.
- (7) Type or print the garnishee's name as it appears on the Writ, mailing address and phone number(s), and attorney (if known).
- (8) Type or print the case number as it appears on the Writ.
- (9) Type or print the date on which the Writ of Garnishment was signed by the Court.
- (10) Type or print the date garnishee was served with the Writ.
- (11) Type or print the date the Garnishee's Answer was due to be filed in Court (10 days after garnishee was served).
- (12) Type or print the amount of money you are owed by the judgment debtor.
- (13) Date and sign where indicated.

WHEN YOU HAVE COMPLETED THE PETITION FOR ORDER TO SHOW CAUSE REGARDING GARNISHEE'S DEFAULT NON-EARNINGS:

- ~ File this form with the Clerk's filing counter along with an Order to Show Cause Regarding Garnishee's Default (FORM 11).
- ~ Follow the steps on the Process Checklist.